



## U.S. Department of Justice

United States Attorney  
Southern District of New YorkThe Silvia J. Molloy Building  
One Saint Andrew's Plaza  
New York, New York 10007

September 3, 2008

Honorable Denny Chin (By FAX)  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 1020  
New York, NY 10007Re: United States v. Sharif Sumner  
08 Cr. 824 (DC)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/4/08
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Dear Judge Chin:

Yesterday, a grand jury in the Southern District of New York returned Indictment 08 Cr. 824(DC), which is attached to this letter. I have been advised by Your Honor's chambers that an initial pre-trial conference in the above-captioned case has been scheduled for September 16, 2008, at 4:30 p.m. I have also been advised that Your Honor has referred arraignment on the Indictment to Magistrate Judge Peck. The Government respectfully requests that the Court order time excluded, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, et seq., until the initial pre-trial conference. Such an exclusion will allow the Government to prepare initial Rule 16 discovery and will allow the parties to initiate discussion of any possible disposition of the case. For these reasons, the Government submits that the ends of justice served by the exclusion of time outweigh the best interest of the public and the defendant in a speedy trial.

Application GRANTED.

Respectfully submitted,

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9/4/08